

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-209381

DATE: October 25, 1982

MATTER OF: Washington Steel Corporation

DIGEST:

When a protest is timely filed initially with the contracting agency, a subsequent protest filed with GAO more than 10 working days after notification of initial adverse agency action is untimely.

Washington Steel Corporation protests the rejection of its low bid under Defense Logistics Agency (DLA) solicitation DLA 500-82-B-1440. The bid was rejected as non-responsive because the firm failed to acknowledge an amendment to the solicitation, which the protester asserts it never received.

We dismiss the protest as untimely.

Washington Steel protested to DLA initially. DLA denied the protest on August 18, 1982, and Washington Steel received the decision on August 25. We received Washington Steel's September 30 letter of protest to this Office on October 5.

Our Bid Protest Procedures require that when a protest is initially timely filed with a contracting agency any subsequent protest to this Office be filed within 10 working days of notification of initial adverse agency action. 4 C.F.R. § 21.2(a) (1982). Washington Steel's protest to this Office was filed more than 10 working days after it received notification of DLA's adverse action on August 25.

We dismiss the protest.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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